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SUBJECT: U/S DOBRIANSKY DISCUSSES NORTH KOREANS, HUMAN
RIGHTS AND WHO CANDIDATES WITH CHINESE AFM CUI

CLASSIFIED BY: POLITICAL MINISTER COUNSELOR DANIEL SHIELDS.
REASONS 1.4 (B/D).

11. (C) SUMMARY: UNDER SECRETARY DOBRIANSKY AND ASSISTANT
FOREIGN MINISTER CUI TIANKAI DISCUSSED NORTH KOREANS IN
CHINA, HUMAN RIGHTS AND CANDIDATES TO HEAD THE WORLD HEALTH
ORGANIZATION (WHO) DURING AN AUGUST 9 BILATERAL MEETING PRIOR
TO THE U.S.-CHINA GLOBAL ISSUES FORUM (GIF). U/S DOBRIANSKY
EXPRESSED USG APPRECIATION FOR CHINA'S COOPERATION IN
DISCREETLY RESOLVING CASES OF NORTH KOREANS IN U.S.
DIPLOMATIC FACILITIES AND URGED CHINA TO CONTINUE TO
COOPERATE WITH THE UN HIGH COMMISSION FOR REFUGEES. SHE
REMINDS CUI OF THE UNITED STATES' DESIRE TO SEE ACTION ON
THE SIX HUMAN RIGHTS AREAS OUTLINED BY PRESIDENT BUSH AND
RAISED CONCERN ABOUT PROSECUTION OF REBIYA KADEER'S FAMILY
MEMBERS. CUI SAID NORTH KOREAN BORDER CROSSERS WOULD
CONTINUE TO BE HANDLED QUIETLY, DISCREETLY AND EFFECTIVELY
ACCORDING TO CHINESE LAW, INTERNATIONAL LAW AND HUMANITARIAN
PRINCIPLES. U.S.-CHINA RELATIONS ARE GOOD, EVEN THOUGH WE
MAY DIFFER ON HUMAN RIGHTS, HE EMPHASIZED. CUI URGED U.S.
SUPPORT FOR THE CANDIDACY BY HONG KONG'S MARGARET CHAN TO
HEAD THE WHO. END SUMMARY.

URGING CONTINUED COOPERATION ON NORTH KOREANS IN CHINA

12. (C) IN A BILATERAL MEETING WITH AFM CUI TIANKAI PRIOR TO
THE AUGUST 9 OPENING OF THE SECOND U.S.-CHINA GLOBAL ISSUES
FORUM (GIF), UNDER SECRETARY FOR DEMOCRACY AND GLOBAL AFFAIRS
PAULA DOBRIANSKY URGED CHINA TO CONTINUE TO COOPERATE WITH
THE UNITED NATIONS HIGH COMMISSION FOR REFUGEES IN ADDRESSING
CASES OF NORTH KOREANS IN CHINA. SHE THANKED CUI FOR CHINA'S
DISCREET HANDLING OF THE NORTH KOREANS WHO ENTERED OUR
CONSULATE GENERAL IN SHENYANG. CUI SAID CHINA WILL CONTINUE
TO HANDLE THE CASES OF NORTH KOREAN BORDER CROSSERS QUIETLY,
DISCREETLY AND EFFECTIVELY ACCORDING TO CHINESE LAW,
INTERNATIONAL LAW AND HUMANITARIAN PRINCIPLES. DOBRIANSKY
URGED A FOCUS ON HUMANITARIAN TREATMENT OF INDIVIDUALS WHO
MIGHT OTHERWISE FACE RETURN TO NORTH KOREA AND NOTED THAT THE
UNITED STATES AND OTHERS ARE WILLING TO TAKE SUCH REFUGEES.

HUMAN RIGHTS AND HIGH COMMISSIONERS

13. (C) DURING RECENT MEETINGS BETWEEN PRESIDENT BUSH AND
PRESIDENT HU, THE UNITED STATES HAS URGED CHINA TO MAKE
PROGRESS IN SIX AREAS OF HUMAN RIGHTS, DOBRIANSKY REMINDS
CUI. SHE ALSO EXPRESSED OUR STRONG CONCERN ABOUT THE
PROSECUTION OF REBIYA KADEER'S FAMILY MEMBERS IN CHINA. CUI
CLAIMED THAT CHINA ACTED CONSISTENT WITH PRC LEGAL PRACTICE.
U/S DOBRIANSKY SAID THE UNITED STATES HAS DIFFICULTY
UNDERSTANDING THE LEGAL REASONS FOR SUCH ACTIONS. SHE

STRESSED THAT THE USG HOPES CHINA WILL REDRESS THESE WRONGS.

14. (C) AFM CUI ACKNOWLEDGED HE HAD DISCUSSED THE SIX AREAS OF CONCERN WITH DRL A/S LOWENKRON IN FEBRUARY AND LATER RAISED FOUR AREAS OF CHINESE CONCERN ON HUMAN RIGHTS. CHINA HAS "DONE WHAT IT CAN WITHIN THE CONFINES OF CHINESE LAW," CUI SAID. EVEN WHERE THE UNITED STATES AND CHINA DIFFER, AS ON SOME INDIVIDUAL CASES, CHINA WILL CONTINUE COMMUNICATION AND, WHERE POSSIBLE, COORDINATION WITH THE UNITED STATES, CUI PLEDGED. DURING A RECENT HUMAN RIGHTS DIALOGUE WITH AUSTRALIA, CUI SAID HE MADE THE POINT THAT THE PROCESS OF IMPROVING HUMAN RIGHTS IN CHINA IS "DEMAND DRIVEN." CHINA WELCOMES FRIENDLY ADVICE AND EVEN CRITICISM, BUT THE CHINESE GOVERNMENT AND ITS CITIZENS WILL DECIDE THE COURSE OF HUMAN RIGHTS IN CHINA AND THE GOVERNMENT WILL PLACE ITS NATIONAL INTEREST ABOVE ALL ELSE.

15. (C) WITHIN THE UN, CHINA WILL CONTINUE TO COOPERATE WITH THE HIGH COMMISSIONER FOR HUMAN RIGHTS, CUI SAID. CHINA HOPES TO WORK WITH THE UNITED STATES ON THE HUMAN RIGHTS COUNCIL, HE SAID, AND IS SURE THE UNITED STATES WILL JOIN CHINA ON THE COUNCIL "SOONER OR LATER."

16. (C) U/S DOBRIANSKY REPLIED THAT CHINA IS WELL AWARE OF THE REASONS THE UNITED STATES DID NOT JOIN THE HUMAN RIGHTS COUNCIL AND KNOWS THE USG REMAINS COMMITTED TO WORKING ON HUMAN RIGHTS BILATERALLY AND INTERNATIONALLY. RULE OF LAW IS JUST ONE COMPONENT OF ADDRESSING HUMAN RIGHTS, SHE SAID, NOTING THAT THE UNITED STATES HAD CHANGED ITS LAWS OVER TIME TO BETTER PROTECT INDIVIDUALS. SHE URGED CHINA TO CONSIDER WITH AN OPEN MIND THE HUMAN RIGHTS ISSUES THE UNITED STATES HAS RAISED.

CHINA PUSHES WHO CANDIDATE FROM HONG KONG

17. (C) AFM CUI URGED THE UNITED STATES TO SUPPORT HONG KONG'S

MARGARET CHAN AS THE NEW HEAD OF THE WHO. U/S DOBRIANSKY SAID SHE KNOWS CHAN PERSONALLY AND HER STRONG QUALIFICATIONS. THE UNITED STATES WILL WAIT UNTIL AFTER THE SEPTEMBER DEADLINE FOR ANNOUNCING CANDIDATES BEFORE IT DECIDES WHOM TO SUPPORT FROM AMONG THE FULL LIST OF CANDIDATES, SHE SAID.

PREVIEWING THE GLOBAL ISSUES FORUM

18. (C) FINALLY, DOBRIANSKY AND CUI PREVIEWED TOPICS THEY WOULD ADDRESS IN THE AUGUST 9-10 U.S.-CHINA GLOBAL ISSUES FORUM. DOBRIANSKY HIGHLIGHTED THE IMPORTANCE OF CLOSE COOPERATION ON ENERGY SECURITY, THE ASIA PACIFIC PARTNERSHIP ON CLEAN DEVELOPMENT AND CLIMATE AS WELL AS AVIAN INFLUENZA. SHE URGED CHINA TO KEEP AN OPEN MIND TO SUGGESTIONS FOR ADDRESSING PROBLEMS IN TRAFFICKING IN PERSONS. AFM CUI SAID NO COUNTRY CAN ISOLATE ITSELF FROM COOPERATION ON GLOBAL ISSUES OF CONCERN. THE UNITED STATES AND CHINA HAVE A SPECIAL RESPONSIBILITY TO WORK TOGETHER TO ADDRESS GLOBAL ISSUES, HE SAID, NOTING HE LOOKS FORWARD TO DISCUSSIONS THAT WILL TOUCH ON ENVIRONMENTAL PROTECTION, SUSTAINABLE DEVELOPMENT, HUMANITARIAN ASSISTANCE, INTERNATIONAL DEVELOPMENT ASSISTANCE AND TRAFFICKING IN PERSONS.
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